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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,226	02/18/2004	REN-HAO LIU	12528-US-PA	2225

31561 7590 06/02/2005

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

QUIETT, CARRAMAH J

ART UNIT PAPER NUMBER

2612

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/708,226	LIU, REN-HAO	
	Examiner	Art Unit	
	Carramah J. Quiett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Applicant's "Response to Office Action" filed 1/07/2005, with respect to the rejection(s) of claim(s) 1-7 under 35 U.S.C. 102(b) as being anticipated by Harris et al. (U.S. #5,584,070) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Harris et al. (U.S. #5,584,070) and Mutsuhashi et al. (U.S. #5,548,335).

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris et al. (U.S. #5,584,070) in view of Mutsuhashi et al. (U.S. #5,548,335).

As for **claim 1**, Harris discloses a portable communication device, called "Wireless Pager with Separable Receiver Unit and Transmitter Unit" (Title and Abstract). Harris' portable communication device (fig. 3, ref. 102) comprises:

a casing (fig. 3, refs. 104/124; col. 6, lines 24-25) with a transmitter unit and a receiver unit where both serve as a host module (fig. 2, refs. 42, 44, 46, 50, and 64) set inside the casing (col. 4, 18-46).

As shown in figure 2, a transmitter (64) and a receiver (44) also serve as a wireless communication module, set inside the casing and electrically connected to the host module for transmitting/receiving a communication signal (Abstract and fig. 2);

an image-capturing unit (fig. 3, ref. 66) set on (fig. 3, ref. 126) the casing and electrically connected (fig. 2, ref. 70, 92, 94, 96) to the host module for capturing an optical image of an object (col. 5, lines 12- 14);

the receiver unit (fig. 2, ref. 40) and the transmitter unit (fig. 2, ref. 42) also serve as a man-machine interface (col. 4, lines 33-46; col. 5, lines 30-37), set on the casing and electrically connected to the host module for controlling the host module (fig. 2);

an acoustic-controlled module (fig. 2, ref. 62), set inside the casing (fig. 3, refs. 104/124) and connected to the host module (fig. 2, refs. 42, 44, 46, 50, and 64),

a voice-input unit set (fig. 2, ref. 62) on the casing and electrically connected to the acoustic camera module for receiving a voice message (col. 4, lines 61-67; col. 5, lines 20-37).

However, Harris does not disclose an acoustic-controlled camera module for controlling the image-capture unit. In a similar field of endeavor, Mitsuhashi discloses an acoustic-controlled camera module (fig. 5, ref. 430) for controlling the image-capture unit (fig. 2, ref. 110). Please read col. 6, lines 37-60. In light of the teaching of Mitsuhashi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harris'

image capture unit with an acoustic-controlled camera module for controlling the image-capture unit in order to provide an alternate way to control the image capturing unit.

As for **claim 2**, Harris, as modified by Mitsuhashi, additionally discloses the portable communication device, wherein the device further comprises a first connecting port set on the casing and is electrically connected to the host module, and the connecting port with image-capturing unit has a second a removable electrical connection to the first connecting port (fig. 2, ref. 70, 92, 94, 96; col. 5, lines 50-60).

As for **claim 3**, Harris, as modified by Mitsuhashi, further discloses the portable communication device, wherein the man-machine interface comprises an instruction-input unit (col. 4, lines 33-46).

As for **claim 4**, Harris, as modified by Mitsuhashi, further discloses the portable communication device, wherein the man-machine interface comprises a voice-output unit (fig. 2, ref. 54).

As for **claim 5**, Harris, as modified by Mitsuhashi, further discloses the portable communication device, wherein the man-machine interface comprises an image-output unit (fig. 2, ref. 52).

As for **claim 6**, Harris, as modified by Mitsuhashi, further discloses the portable communication device, wherein the man-machine interface comprises an instruction-input unit and an image-output unit (fig. 2, ref. 52, 54).

As for **claim 7**, Harris, as modified by Mitsuhashi, further discloses the portable communication device, wherein the instruction-input unit is integrated with the image-output unit for a touch-control display screen (col. 4, lines 33-46; col. 6, lines 33-47).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Thompson (U.S. #6,413,209)

A voice-activated remote-control that may be employed as the camera remote-control (Fig. 16).

Ishizaka et al. (U.S. Pat. App. #2004/0169733)

Transmitting speech signals from the receiving apparatus to the wireless image pickup apparatus, speech-transmitting means, such as an audio modulation unit and an audio transmitter, may be provided on the receiving apparatus.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571) 272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJQ
May 31, 2005



NGOC-YEN VU
PRIMARY EXAMINER